

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

UNITED STATES OF AMERICA)	
)	
v.)	CRIMINAL CASE NO.1:17-MJ-359
)	
MICHAEL IBUKUN OGinni,)	
)	
Defendant.)	

**AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT
AND ARREST WARRANT**

I, Joseph E. Netro, being duly sworn, state the following:

I. INTRODUCTION

1. I am a United States Postal Inspector and have been employed with the United States Postal Inspection Service ("USPIS") since August 2002. I am currently assigned to the Multi-Function Team located in Dulles, Virginia of the Washington Division. My responsibilities include the investigations of crimes against the U.S. Postal Service, and crimes furthered by use of the U.S. mails. I have extensive training in criminal investigative procedures, and have conducted criminal investigations involving mail theft, identity theft, and bank fraud.

2. This affidavit is submitted in support of a criminal complaint charging **MICHAEL IBUKUN OGinni ("OGinni")** with conspiracy to commit access device fraud, in violation of 18 U.S.C. § 1029(b)(2). This affidavit is also submitted in support of an arrest warrant for **OGinni**.

3. The statements contained in this Affidavit are based on my personal knowledge and review of records, documents, and other physical evidence obtained during

this investigation, as well as information provided to me by other law enforcement agents and private persons. I have not set forth every fact resulting from the investigation; rather I have set forth a summary of the investigation to date.

II. OVERVIEW OF INVESTIGATION

4. 18 U.S.C. § 1029(b)(2) makes it a felony for anyone to be a party to a conspiracy of two or more persons to commit an offense enumerated in subsection (a), to wit:

a. traffic in and use one or more unauthorized access devices, to wit, counterfeit driver's licenses in victims' names, during a one-year period, and by such conduct obtain things of value aggregating \$1,000 or more during that period, in a manner affecting interstate commerce, in violation of Title 18, United States Code, Section 1029(a)(2); and

b. possess fifteen or more devices which are counterfeit or unauthorized access devices, and the offense affected interstate commerce, in violation of Title 18, United States Code, Section 1029(a)(3).

5. Investigation has shown that MICHAEL IBUKUN OGinni has participated in a conspiracy from at least September 2015, and continuing through at least June 2017, with known and unknown co-conspirators, within the Eastern District of Virginia and elsewhere, to unlawfully create and obtain access to financial accounts and credit/debit cards in victims' names using counterfeit identification cards using the names and personally identifying information of victims. Investigation has shown that the group has then used those fraudulent accounts to make purchases and cash withdrawals.

6. Investigation has shown that victims of the conspiracy have included at least 50 real persons, seven financial institutions, and six non-financial institutions; and that the conspiracy has caused losses exceeding \$470,000.

7. In relation to this scheme, co-conspirator ROBERT MCCRICKARD was indicted in this District on March 16, 2017, on counts of conspiracy to commit access device fraud (18 U.S.C. § 1029(b)(2)); bank fraud (18 U.S.C. § 1344), and aggravated identity theft (18 U.S.C. § 1028A). *See United States v. McCrickard*, No. 1:17-CR-51 (E.D. Va.). He subsequently pleaded guilty to conspiracy to commit access device fraud; bank fraud; and aggravated identity theft, on June 6, 2017. *Id.*

8. In relation to this scheme, co-conspirator ANDRALIESHA JEFFERSON was charged in this District by criminal complaint on December 29, 2016, and she entered a pre-indictment plea on April 26, 2017, where she pleaded guilty to conspiracy to commit access device fraud (18 U.S.C. § 1029(b)(2)) and aggravated identity theft (18 U.S.C. § 1028A). *See United States v. Jefferson*, No. 1:17-CR-92 (E.D. Va.).

III. PROBABLE CAUSE

A. Seized phones & text messages

9. On or about March 10, 2016, Charles County, Maryland law enforcement authorities executed a search warrant on a motel room in La Plata, Maryland, that co-conspirator MCCRICKARD had rented. Found in MCCRICKARD's room were, among other things, more than fifteen unauthorized or counterfeit access devices, which included fraudulent identification cards containing the personally identifying information of victims, and credit/debit cards fraudulently issued in victims' names. Many of the fraudulent identification cards contained photographs of either MCCRICKARD or JEFFERSON.

Also found in MCCRICKARD's motel room was a magnetic stripe card reader/writer and approximately 20 cell phones, which were subsequently forensically examined pursuant to a search warrant issued in this District.

10. One of the cellphones seized from MCCRICKARD's motel room on March 10, 2016, was a Samsung cellphone with a phone number ending in 9282. Forensic examination determined that this Samsung phone contained dozens of text messages. JEFFERSON and MCCRICKARD both confirmed to law enforcement that the "sent" messages on the phone that were directed to each of them were text messages that they received at the time from OGINNI. Other text messages found on the Samsung phone included the following:

a. On or about September 16, 2015, OGINNI used the phone to send text messages to a suspected co-conspirator that contained photographs of four fraudulent driver's licenses, each of which contained JEFFERSON's photograph and a different victim's name and personally identifying information.

b. On or about the same day, OGINNI used the phone to send text messages to the same suspected co-conspirator that contained photographs of three fraudulent driver's licenses, each containing MCCRICKARD's photograph and a different victim's name and personally identifying information. One of these fraudulent licenses contained victim W.L.'s actual name, address, and date of birth; and another fraudulent license contained victim V.B.'s actual name, address, and date of birth.

c. Text messages on the Samsung phone dated over the next two days showed that OGINNI followed-up with this suspected co-conspirator by sending him/her multiple passport-style photographs of JEFFERSON and MCCRICKARD. In one of those text

messages that accompanied a photograph of MCCRICKARD, OGINNI instructed, "Use this one please". The Samsung phone's text messages show that on September 19, 2015, the co-conspirator sent OGINNI via text message a photograph of a fraudulent driver's license containing the photograph of MCCRICKARD that OGINNI had instructed s/he use, and victim W.L.'s actual name, address, and date of birth.

B. Victims W.L. and E.A.

11. Based on apartment lease records obtained from the leasing office of a luxury apartment building, law enforcement learned that, on or about September 28, 2015, individual(s) applied online for an apartment rental lease at a residential building in Alexandria, Virginia, within the Eastern District of Virginia, using the personally identifying information of victims E.A. and W.L. Victims E.A. and W.L. have confirmed to law enforcement that they did not provide authorization for this apartment lease. The apartment property manager confirmed to law enforcement that after the lease was approved, a person resembling MCCRICKARD claimed to be W.L. and visited the apartment building to collect the keys to the apartment and to the apartment's mailbox.

12. Based on bank records and surveillance images obtained from BB&T, as well as corroborating statements from MCCRICKARD, law enforcement learned that, on or about November 6, 2015, MCCRICKARD, at OGINNI's instruction, entered a BB&T branch in Vienna, Virginia, in the Eastern District of Virginia, and used a fraudulent identification card containing victim W.L.'s actual name and personally identifying information, and supplied on the bank application the apartment address fraudulently obtained in W.L.'s name, to apply for credit and checking accounts in W.L.'s name.

13. Based on records obtained from BB&T, on or about November 18, 2015, members of the conspiracy transferred \$2,500 from the fraudulent W.L. credit account to the fraudulent W.L. checking account. Based on surveillance images and bank records obtained from BB&T, law enforcement learned that, within a nine-minute period between late November 19, 2015, and early November 20, 2015, OGinni made five withdrawals from the same fraudulent W.L. checking account that totaled \$2,500 in Rockville, Maryland. This account was originally opened in Vienna, Virginia, as described in paragraph 12.

14. Based on bank records from Citibank and statements from MCCrICKARD, law enforcement learned that, on or about November 22, 2015, MCCrICKARD, under OGinni's direction, entered a Sears retail location in Falls Church, Virginia, in the Eastern District of Virginia, and fraudulently opened a Sears-branded Citibank credit card account in victim W.L.'s name.

15. Based on text messages found on a cell phone seized from MCCrICKARD's motel room on March 10, 2016, as well as corroborating statements from MCCrICKARD, law enforcement learned that, on or about December 12, 2015, OGinni sent MCCrICKARD a text message stating, "Dude text me the numbers so I can call and verify if there or not". In response, MCCrICKARD texted OGinni the numbers corresponding to the fraudulent BB&T credit card in W.L.'s name described in paragraph 12. OGinni responded, "Last 4 of socio?" to which MCCrICKARD provided the last four digits of W.L.'s social security number. Within five minutes, OGinni instructed MCCrICKARD via text message, "Drop carx [sic] and id for [W.L.]. No good."

C. Victim K.C.

16. Based on bank records and surveillance images obtained from PNC Bank, law enforcement learned that, on or about September 19, 2015, JEFFERSON fraudulently opened bank accounts in victim K.C.'s name and with K.C.'s personally identifying information at a branch of PNC Bank in Vienna, Virginia, in the Eastern District of Virginia.

17. Based on surveillance images and bank records from PNC Bank, on or about the following dates, OGinni, JEFFERSON and MCCRICKARD accessed and made withdrawals at an ATM controlled by PNC Bank in Rockville, Maryland from the fraudulent K.C. bank account described above:

Date	Amount	Conspirator
Oct. 1, 2015	\$1,000	JEFFERSON (at OGinni's direction)
Oct. 6, 2015	\$1,000	OGinni
Oct. 17, 2015	\$1,000	MCCRICKARD (at OGinni's direction)

D. Other victims

18. Based on bank records and surveillance images obtained from BB&T, which were corroborated by MCCRICKARD's statements, law enforcement learned that, on or about December 11, 2015, MCCRICKARD, acting under OGinni's instruction, fraudulently obtained credit and checking accounts in victim V.B.'s name and with V.B.'s personally identifying information at a BB&T branch located in Fairfax, Virginia, in the Eastern District of Virginia.

19. Based on invoices and shipment records from Arhaus Furniture and interviews with Arhaus employees, law enforcement learned that, on or about January 9, 2016, a person resembling MCCRICKARD fraudulently obtained a store credit card in

victim C.B.'s name at Arhaus Furniture, located in McLean, Virginia, in the Eastern District of Virginia.

20. Based on records obtained from Bank of America, law enforcement learned that, on or about January 12, 2017, individual(s) not authorized to do so used the Internet to apply for and fraudulently obtain financial accounts at Bank of America in victim C.K.'s name with C.K.'s personally identifying information. C.K., who resided in the Eastern District of Virginia, confirmed to law enforcement that she did not provide authorization to open such accounts. At the time, co-conspirators JEFFERSON and MCCRICKARD were incarcerated. Google records show that the email address associated with the opening of the fraudulent Bank of America accounts was linked to the Google email address identified by co-conspirator JEFFERSON as one used by OGinni.

21. Based on bank records obtained from Bank of America, law enforcement learned that, on or about February 1, 2017, individual(s) not authorized to do so used the Internet to apply for and fraudulently obtain financial accounts at Bank of America in victims' J.B. and R.B.'s names, using J.B.'s personally identifying information. J.B. and R.B. resided in the Eastern District of Virginia. At the time, co-conspirators JEFFERSON and MCCRICKARD were incarcerated. Google records show that the email address associated with the opening of the fraudulent Bank of America accounts was linked to the Google email address identified by co-conspirator JEFFERSON as one used by OGinni.

22. On or about February 7, 2017, a video recording captured OGinni peering through the contents of the mailboxes associated with the addresses of victims J.B. and R.B, who were married, and their neighbors, including C.K., which were in McLean, Virginia.


E. Emails

23. Records obtained from Google relating to an email address that co-conspirator JEFFERSON identified as OGINNI's show that, on or about February 28, 2017, OGINNI sent emails to a suspected co-conspirator requesting that a batch of counterfeit identification cards be corrected. For example, he instructed, "THE SIGNATURE ABOVE THE HEAD, IS ON THE SEAL TO THE LEFT....NOT NEXT TO THE SEAL. SIGNATURE HAS TO BE RIGHT ON THE SEAL." The next day, OGINNI received from the suspected co-conspirator an email containing photographs of corrected counterfeit identification cards.


24. Records obtained from Google relating to an email address that co-conspirator JEFFERSON identified as OGINNI's show that, on or about June 1, 2017, OGINNI emailed an individual asking, "How do i place an order?" The same day, the individual responded with a list of Bitcoin prices corresponding to "[a]vailable cards" for sale with balances ranging from \$4,000 to \$100,000. The reply email additionally stated that, upon payment, OGINNI would be given an ATM "pin and . . . be able to cash out from any ATM in your country."

IV. CONCLUSION

25. Based upon the information set forth in this affidavit, probable cause exists to believe that between in or around September 2015, and continuing to at least in or around June 2017, within the Eastern District of Virginia and elsewhere, the defendant, **MICHAEL IBUKUN OGinni**, did knowingly participate in a conspiracy of two or more persons to commit an offense under 18 U.S.C. § 1029(a) (access device fraud), in violation of 18 U.S.C. § 1029(b)(2).


Joseph E. Netro
United States Postal Inspector
United States Postal Inspection Service

Subscribed and sworn to before me on the 28th day of July, 2017.

 /s/_____
Theresa Carroll Buchanan
United States Magistrate Judge
Honorable Theresa Carroll Buchanan
United States Magistrate Judge